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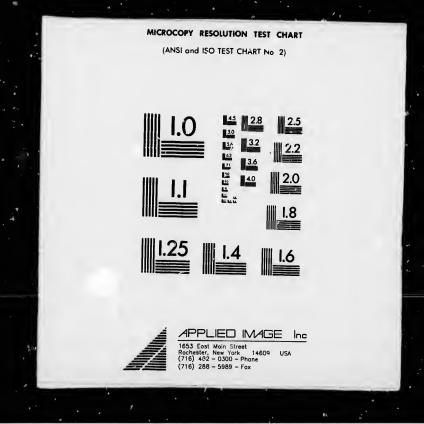
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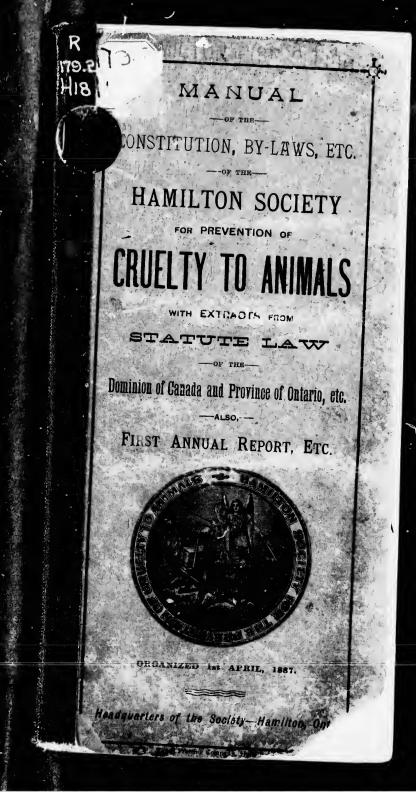
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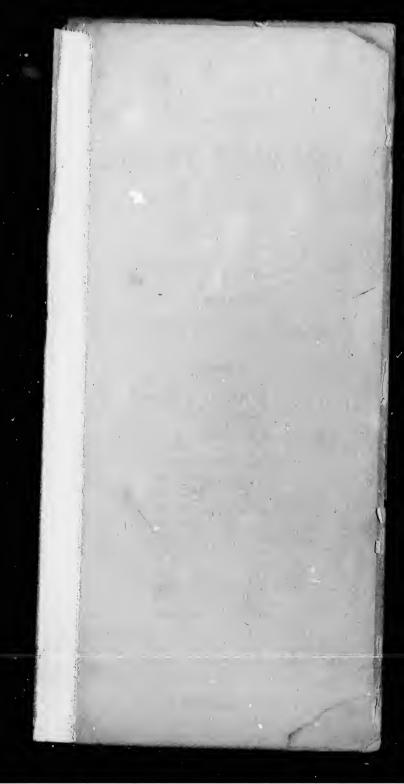




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# WENTWORTH HISTORICAL SOCIETY Hamilton · Society

FOR PREVENTION OF

# **GRUELTY TO ANIMALS**

#### MEMBERSHIP.

ANNUAL, - - - \$ 1.00 LIFE, not less than - - 10.00

Officers of the Society 1888-9

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Bresident. ADAM BROWN, M. P. HAMILTON PUBLIC LIBRARY Dire: Diresident.

CHARLES BLACK.

Secretary: Treasurer. HENRY McLAREN.

#### Executive Committee.

REV. CANON CURRAN, C. K. DOMVILLE, LT.-COL. H. C. GWYN, S. F. LAZIER, EDWARD MARTIN, Q.C., J. J. MASON, JAMES MATHEWS, J. C. MCKEAND, E. OVERELL, MRS. ADAM BROWN, MRS. DENNIS MOORE, MRS. R. THOMSON.

**Jonorary Counsel.** EDWARD MARTIN, Q. C., S. F. LAZIER.

Bonorary Veterinary Surgeon.

J. CRAIG, V. S.

**Inspector.** WILLIAM KERLEY, 13 GORE STREET.

# MAMILTON SOCIETY

THE-

#### FOR THE

### PREVENTION

OF

# GRUELTY TO ANIMALS HAMILTON PUBLIC LIBRARY

### CONSTITUTION.

(Adopted April 1st, 1887.) Nr V 28 1334

#### NAME.

ARTICLE 1.- The name of the society shall be "The Hamilton Society for the Prevention of Cruelty to Animals."

#### **OBJECTS.**

ARTICLE 2 .--- Its objects shall be to provide effective means for the prevention of cruelty to animals.

#### MEMBERSHIP.

ARTICLE 3.—Any person may become a member of this Society by paying the sum of one dollar annually, it being understood that women are included.

ARTICLE 4.-Any person neglecting to pay his annual fee for one year will cease to be a member of said Society.

#### PATRONS.

ARTICLE 5 .- The Society may from time to time elect patrons and honorary members.

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#### EXECUTIVE COMMITTEE.

ARTICLE 6.—The Executive Committee, consisting of the President, Vice-President and Secretary-Treasurer, together with twelve members, shall manage all the affairs of the Society, and shall be elected at the general meeting on the third Monday in April in each year.

#### BY-LAWS.

ARTICLE 7.—The Committee may also from time to time make such Rules or By-laws as they may think fit, provided that the same be not inconsistent with the Constitution; and they may also fill any vacancies that may occur in any office of the Society.

#### ANNUAL MEETING.

ARTICLE 8.—The Annual Meeting of the Society shall be held on the third Monday in April, when the outgoing Committee shall present a general report of the proceedings of the Society and an abstract of the accounts and general concerns of the Society up to the 31st March preceding, and the Committee for the ensuing year shall then be elected, either by ballot or open vote, as may be decided at said meeting.

#### SPECIAL MEETINGS.

ARTICLE 9.—A Special Meeting of the Society may be held at the call of the Committee or upon the written request of ten members of the Society, due notice of such meeting to be given by the Secretary-Treasurer.

#### QUORUM.

ARTICLE 10.—At all meetings of the Society nine members present (who have paid their annual subscription) shall constitute a quorum, and *five* shall constitute a quorum at all meetings of the Executive Committee.

#### ALTERATION OF CONSTITUTION.

ARTICLE 11.—Any Article of this Constitution may be altered, amended or suspended for any length of time by consent of two-thirds of the members present at a meeting specially called for that purpose; provided that such alteration, amendment or suspension shall have been specified in the notice calling such meeting. A week's notice shall be given of a meeting for such purpose.

#### INSPECTOR.

ARTICLE 12.—An Inspector shall be appointed by the Committee under such rules and conditions as they may deem advisable.

### MAYOR AND CLERGY.

ARTICLE 13.—The Mayor of the City of Hamilton shall be an honorary member of the Society and an *ex officio* member of all committees, and all city clergymen shall be honorary members.

### BY-LAWS.

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1. Any person paying a sum of not less than ten dollars (\$10.00) at one time shall become a life member.

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# SUGGESTIONS

#### TO INDIVIDUALS WHO SEE OR HEAR OF ACTS OF

### CRUELTY TO ANIMALS.

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As a general rule, the eye-witness, or a person informed of any act of cruelty to any animal, should furnish the Inspector of this Society, as soon as possible, with full and precise particulars of the act. That officer will institute the proper inquiries, and with sufficient evidence, conduct the prosecution without expense to the witness or complainant, and without his assistance, unless the latter is necessary to the conviction of the offender. (The names of persons and letters supplying information  $\varepsilon$ . kept STRICTLY PRIVATE AND CONFIDENTIAL when secrecy is enjoined.)

In all cases persons are requested to obtain the NAME and ADDRESS of the offender, (and his NUMBER also, if the driver of a vehicle plying for hire.) The following excellent directions given by the Royal Scciety, London, should also be pursued : "Make a note of the time when, and the place where, the offence was committed. If for driving a horse or other animal with galled neck or shoulders, or other wounds, note the size and situation of such wounds, and especially whether they are raw, discharging, or in contact with the harness; if for flogging or beating, note the number of blows, and on what part of the body inflicted, and the effect, if any, on the skin of the animal; if for lameness, ascertain PARTICULARLY. whether or not there is suffering, as lameness is not always an indication of pain; if for weakness or infirmity, take care to have good evidence of the bodily condition, age, and incapacity of the animal, and the labor extracted from it ; if for overloading, it is indispensable to show painful distress of the animals, e.g., trembling, falling, unusual perspiration or exhaustion, or to show violence on the part of the driver; if for mutilation or

any other torture, observe minutely and take down in writing the precise character of the same in detail. It is important also to remember the exact words of accused when stopped, which frequently amount to an admission of guilt. In every case, if possible, obtain the name and address of a respectable witness willing to give evidence. If unwilling, such witness can be summoned to give evidence."

It is sometimes advisable that the eye witness of an act of cruelty should give the offender at once into the custody of a policeman or con-This summary method should be adopted only when the case is one of gross and undoubted cruelty, and when the offender is not a resident in the place, and will not give his name and address, or when, in the case of a resident or non-resident, there is reason to believe that he is not giving these truthfully or that he will evade a summons or will abscond. In any of these cases the eye-witness of an act of cruelty may direct the attention of a policeman or constable to the offence and request the latter to do his duty.

It is earnestly hoped that the personal inconveniences arising out of proceedings to protect animals from the outrages of cruel persons will not deter friends of humanity from cooperating with the officers in their efforts to promote the object of the Society.

The Society would impress upon master carters, coal and wood merchants, and others, the importance of not employing young lads, under the age of fourteen years as drivers of loaded horses, both from their inability to assist the animal when backing or on hilly places, and the thoughtlessness natural to youth, which frequently leads to racing the horses and using the whip unnecessarily.

Attention is also called to the following existing cruelties, pointed out by the American Humane Association of Chicago:

Animals in freezing and starving condition, in exposed localities, in the winter season.

Animals so cruelly crowded, trampled, starved and kept without water, when transported long distances by rail to market, as to make their meat unfit for food.

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d, starved rted long ake their Horses compelled to endure excruciating torture by the over-check and other high checkreins, through the ignorance and pride of thoughtless drivers.

Dogs and cats drive the desperation and madness from want of water.

Horses ruined in health and limb through being over-loaded, lack of food and improper feeding.

Old, galled, crippled horses ill-fed, overloaded, and generally abused by hard masters.

Calves with feet tied and tortured, while being transported long distances in distressed position, over rough roads, by butchers and others.

Pigeons wantonly wounded, mutilated and allowed to linger hours before death comes to their relief, at shooting tournaments.

Horses left standing in exposed positions, through severe storms, without covering.

Beautiful song and useful birds needlessly . slaughtered by men and boys for sport.

Insects, birds and animals, of various kinds, cruelly put to death by thoughtless persons, when a little more care would make death less painful.

The cruelty and savage instinct aroused by pugilism, cock and dog fighting.

Every city, village and country town should be liberally supplied with drinking fountains for animals, and they should be so constructed that even the smallest dogs can drink from them. No gift to a people confers a greater pleasure than a fountain, and that person who turns aside a stream from the field and gives a watering trough to the roadside, or provides a fountain, at which man and beast can drink pure water, is truly a public benefactor.

# EXTRACTS FROM LAWS

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DOMINION OF CANADA

#### AND

PROVINCE OF ONTARIO

#### AND

BY-LAWS OF THE CITY OF MAMILTON RESPECTING THE

Prevention of Gruelty to Animals.

ANADA

An Act respecting Cruelty to Animals.

# (Revised Statutes 1886, Chap. 172.)

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

1. In this Act, unless the context otherwise requires, the expression "cattle" includes any horse, mule, ass, swine, sheep or goat, as well as any neat cattle or animal of the bovine species, and whatever is the age or sex of the animal, and whether castrated or not, and by whatever technical or trivial name it is known, and shall apply to one animal as well as to many. 32.33 V., c. 27, s. 10; 38 V., c. 42, s. 1.

### CRUELTY TO ANIMALS.

2. Every one who wantonly, cruelly or unnecessarily beats, binds, ill-treats, abuses, overdrives or tortures any cattle, poultry, dog, domestic animal or bird—or who, while driving any cattle or other animal, is, by negligence or illusage in the driving thereof, the means whereby any mischief, damage or injury is done by any such cattle or o-her animal—or who, in any figh dog don con liab to thre bot

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ly or unses, overtry, dog, e driving nce or ills wheredone by who, in any manner, encourages, aids or assists at the fighting or bain 3 of any bull, bear, badger, dog, cock or ot er kind of animal, whether of domestic or wild nature, shall, on summary conviction before two Justices of the Peace, be liable to a penalty not exceeding fifty dollars or to imprisonment for any term not exceeding three months, with or without hard labor, or to both. 43 V., c. 38, s. 2.

3. Every one who builds, makes, maintains or keeps a cockpit on premises belonging to or occupied by him, or allows a cockpit to be built, made, maintained or kept on premises belonging to or occupied by him, shall, on summary conviction before two Justices of the Peace, be liable to a penalty not exceeding fifty dollars, or to imprisonment for any term not exceeding three months, with or without hard labor, or to both;

2. All cocks found in any such cockpit, or on the premises wherein such cockpit is, shall be confiscated and sold for the benefit of the municipality in which such cockpit is situated. 43 V., c. 38, s. 3.

4. If any such offence is committed, any constable or other peace officer, or the owner of any such cattle, animal or poultry, upon view thereof, or upon the information of any other person (who shall declare his name and place of abode to such constable or other peace officer), may seize and secure, and forthwith, and without any warrant, may convey any such offender before a Justice of the Peace within whose jurisdiction the offence was committed, to be dealt with according to law. 32-33 V., c. 27, S. 4.

**5.** If any person apprehended for having committed any such offence refuses to disclose his name and place of abode to the Justice of the Peace before whom he is brought, such person shall be immediately delivered over to a constable or other peace officer, and shall, by him, be conveyed to the common jail or place of confinement for the district, county or place within which the offence was committed, or in which the offender was apprehended, there to remain for any term not exceeding one month, or until he makes known his name and place of abode to the said Justice. 32-33 V., c. 27, s 5.

6. No prosecution for any such offence shall be brought except within three months next after the commission of the offence. 32-33 V., c. 27, s. 6.

7. Every pecuniary penalty recovered with respect to any such offence shall be applied in the following manner, that is to say: one moiety thereof to the corporation of the city, town, village, township, parish or place in which the offence was committed, and the other moiety, with full costs, to the person who informed and prosecuted for the same, or to such other person as to the justices of the peace seems proper. 32-33 V., c. 27, s. 8.

# THE CONVEYANCE OF CATTLE.

8. No railway company within Canada, whose railway forms any part of a line of road over which cattle are conveyed from one Province to another Province, or from the United States to or through any Province, or from any part of a Province to another part of the same, or owner or master of any vessel carrying or transporting cattle, from one Province to another Province, or within any Province, or from the United States through or to any Province, shall confine the same in any car, or vessel of any description, for a longer period than twenty-eight consecutive hours, without unlading the same for rest, water and feeding for a period of at least five consecutive hours, unless prevented from so unlading and furnishing water and food by storm or other unavoidable cause, or by necessary delay or detention in the crossing of trains ;

2. In reckoning the period of confinement, the time during which the cattle have been confined without such rest and without the furnishing of food and water, on any connecting railways or vessels from which they are received, whether in the United States or in Canada, shall be included;

3. The foregoing provisions as to cattle being unladen shall not apply when cattle are carried in any car or vessel in which they have proper space and copportunity for rest and proper food and water. 38 V., c. 42, ss. 2 and 5, part.

9. Cattle so unloaded shall be properly fed and watered during such rest by the owner or person having the custody thereof, or in case of his default in so doing, then by the railway company or owner or master of the vessel transporting the same, at the expense of the owner or pan a l cus any

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perly fed owner or r in case e railway sel transe owner or person in custody thereof; and such company, owner or master shall, in such case, have a lien upon such cattle for food, care and custody furnished, and shall not be liable for any detention of such cattle. 38 V., c. 42, s. 3.

10. Where cattle are unladen from cars for the purpose of receiving food, water and rest, the railway company then having charge of the cars in which they have been transported shall, except during a period of frost, clear the floors of such cars, and litter the same properly with clean sawdust or sand before reloading them with live stock. 38 V., c. 42, s. 4.

11. Every railway company, owner or master of a vessel, having cattle in transit, as aforesaid, who knowingly and wilfully fails to comply with the provisions contained in the eighth section of this Act, shall, for every such failure to comply with its provisions, incur a penalty not exceeding one hundred dollars. 38 V., c. 42, s. 5, part.

12. Every peace officer and constable may, at all times, enter any premises where he has reasonable grounds for supposing that any car, truck or vehicle, in respect whereof any company or person has failed to comply with the provisions of the four sections next preceding is to be found, or enter on board any vessel in respect whereof he has reasonable grounds for supposing that any company or person has, on any occasion, so failed;

2. Every one who refuses admission to such peace officer or constable, shall be liable, on summary conviction, to a penalty not exceeding twenty dollars and not less than five dollars, and costs, and in default of payment, to imprisonment for any term not exceeding thirty days. 38 V., c. 42, ss. 6, 7 and 8.

13. Every penalty recoverable under the two sections next preceding, shall belong to the Crown for the public uses of Canada; and no proceeding for the recovery of  $\cdot$  such penalty shall be commenced except within one month next after the commission of the offence. 38 V., c. 42, s. 10.

#### GENERAL.

14. Nothing in this Act shall prevent or abridge any remedy by action which any person has against the offender or his employer. 32-33 V., c. 27, s. 3, part; -38 V., c. 42, s. 9, part.

### EXTRACTS FROM

### AN ACT RESPECTING INFECTIOUS OR CONTAGIOUS DISEASES AFFECTING ANIMALS,

# (Revised Statutes 1886, Chap. 69.)

SEC. 2.—In this Act "cattle" means bulls, cows, oxen, heifers and calves; "animals" means, except where it is otherwise expressed, cattle, sheep, horses, swine, goats, and all animals of whatsoever kind; "contagious" means communicable by close contact or inoculation; "infectious" means communicable in any manner whatever.

SEC. 5.—Every person who turns out, keeps or grazes any animal, knowing such animal to be infected with or labouring under any infectious or contagious disease, or to have been exposed to infection or contagion, in or upon any forest, wood, moor, beach, marsh, common, waste-land, open field, roadside or other undivided or unenclosed land, shall, for every such offence, incur a penalty not exceeding two hundred dollars. 42 Vict., c. 23, s. 3.

SEC. 6.—Every person who brings or attempts to bring into the market, fair or other place any animal known by him to be infected with or labouring under any infectious or contagious disease, shall, for every such offence, incur a penalty not exceeding two hundred dollars. 42 Vict., c. 23, s. 4.

SEC. 10.—If any animal infected with or labouring under any infectious or contagious disease, is sold, disposed of, or put off, or is exposed or offered for sale in any place whatsoever, or is brought, or attempted to be brought, for the purpose of being exposed or offered for sale in any market, fair or other open or public place where other animals are commonly exposed for sale, any clerk or inspector, or other officer of such fair or market, or any constable or policeman, or any other person authorized by the Mayor or Reeve, or by any Justice of the Peace having jurisdiction in the place, or any person authorized or appointed by the Governor-in-Council may seize the same, and report the seizure to the Mayor or Reeve, or to any Justice of the Peace having jurisdiction in the place; and such Mayor, Reeve or Justice, or person an C P an in of d

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authorizes or appointed by the Governor-in-Council, may cause the same, together with any pens, hurdles, troughs, litter, hay, straw or other articles which he judges likely to have been infected thereby, to be forthwith destroyed, or otherwise disposed of, in such manner as he deems proper, or as is directed, as provided by this Act. 42 Vict., c. 23, s. 7.

SEC. 13.-(1) The Governor-in-Council may order a compensation to be paid to the owners of animals slaughtered under the provisions of this Act, and whenever the animal slaughtered was affected by infectious or contagious disease, the compensation shall be one-third of the value of the animal before it became so affected; but shall not, in any case, exceed twenty dollars; in every other case the compensation to be three-fourths of the value of the animal, but shall not, in any case, exceed fifty dollars ; and in any case of thoroughbred pedigree animals two-thirds of the value of the animal, not to exceed \$150; in all such cases the value of the animal shall be determined by the Minister of Agriculture, or by some person appointed by him.

(2) Such compensation may be withheld in whole or in part whenever the owner or the person having charge of the animal has, in the opinion of the Minister of Agriculture, been guilty, in relation to the animal of an offence against this Act, or whenever the animal, being a foreign one, was, in his judgment, diseased at the time of entering Canada.

See also Revised Statutes of Ontario, 1887, chap. 216.—An Act to prevent the spread of contagious diseases among horses or other domestic animals. Relates principally to glanders and farcy.

### ONTARIO.

IMPOUNDING OF ANIMALS.

(Revised Statutes 1887, Chap. 215.)

SEC. 14.—Every poundkeeper, and every person who impounds or confines, or causes to be impounded or confined, any animal in any common pound or in any open or close pound, or in any enclosed place, shall daily furnish the

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animal with good and sufficient food, water, and shelter, during the whole time that such animal continues impounded or confined. R. S., c. 195, s. 14.

SEC. 15.—Every such person who furnishes the animal with food, water and shelter, may recover the value thereof from the owner of the animal, and also a reasonable allowance for his time, trouble and attendance in the premises. R. S., C. 195, S. 15.

SEC. 22.—In case a poundkeeper, or person who impounds or confines, or causes to be impounded or confined, any animal as aforesaid, refuses or neglects to find, provide and supply the animal with good and sufficient food, water and shelter as aforesaid, he shall, for every day during which he so refuses or neglects, forfeit a sum not less than one dollar, nor more than four dollars.

### PROTECTION OF SHEEP.

# (Revised Statutes 1887, Chat 214.)

Sec. 9.—Any person may kill any dog which he sees pursuing, worrying or wounding any sheep or lamb. R. S., c. 194, s. 10.

Sec. 10.—The defendant iu any action of damages for killing a dog, under the circumstances in the preceding section mentioned, may plead not guilty by Statute, and give this Act and the special matter in evidence. R. S., C. 194, S. 11.

SEC. 11.—On complaint, made in writing, on oath, before any Justice of the Peace, for any city, town or county, or union of counties, that any person residing in such city, town or county, or union of counties, owns or has in his possession a dog which has, within six months previous, worried and injured or destroyed any sheep, the Justice of the Peace may issue his summons, directed to such person, stating shortly the matter of such complaint, and requiring such person to appear before him, at a certain time and place therein stated, to answer to such complaint, and to be further dealt with according to law. R. S., c. 194, s. 12.

SEC. 13.—In case any person is convicted, on the oath of a credible witness, of owning or having in his possession a dog which has worried and injured or destroyed any sheep, the Justice of the Peace may make an order for the kill ing co da cre exe pe ap: the be as

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onvicted, wning or has woreep, the r for the killing of such dog (describing the same according to the tenor of the description given in the complaint and in the evidence), within three days, and in default thereof may, in his discretion, impose  $\lambda$  fine upon such person, not exceeding twenty clollars, with costs; and all penalities imposed under this section shall be applied to the use of the Municipality in which the defendant resides. R. S., c. 194, s. 14.

SEC. 14 — No conviction under this Act shall be a bar to any action by the owner or possessor, as aforesaid, of any sheep for the recovery of damages for the injury done to such sheep in respect of which such conviction is had. R. S., c. 194, s. 15.

SEC. 15.—The owner of any sheep or lamb killed or injured by any dog shall be entitled to recover the damage occasioned thereby from the owner or keeper of such dog, by an action for damages or by summary proceedings before a Justice of the Peace.

SEC. 16.—The owner or keeper of any dog or dogs to whom notice is given of any injury done by his dog or dogs to any sheep or lamb, or of his dog or dogs having chased or worried any sheep or lamb, shall, within forty-eight hours after such notice, cause such dog or dogs to be killed; and for every neglect so to do he shall forfeit a sum of two dollars and fifty cents for every such dog, and a further sum of one dollar and twenty-five cents for each such dog for every forty-eight hours thereafter, until the same is killed, if it is proved to the satisfaction of the Justice of the Peace before whom proceedings are taken for the recovery of such penalties that such dog or dogs has or have worried or otherwise injured such sheep or lamb; but no such penalties shall be enforced in case it appears to the satisfaction of such Justice of the Peace that it was not in the power of such owner or keeper to kill such dog or dogs. R. S., c. 194, s. 17.

SEC. 17.—In case the owner of any sheep or lamb so killed or injured proceeds against the owner or keeper of the dog that committed the injury, before a Justice of the Peace, as provided by this Act, and is unable on the conviction of the offender, to levy the amount ordered to be paid, for want of sufficient distress to levy the same, then the Council of the Municipality in which the offender resided at the time of the injury shall order their Treasurer to pay to the aggrieved party the amount ordered to be paid by the Justice under the conviction, saving and excepting the costs of the proceedings before the Justice and before the Council. R. S.,

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SEC. 18.—The owner of any sheep or lamb killed or injured by any dog, the owner or keeper of which is not known may, within three months, apply to the Council of the Municipality in which such sheep or lamb was so killed or injured for compensation for the injury; and if the Council (any member of which shall be competent to administer an oath or oaths in examining parties in the premises) is satisfied that the aggrieved party has made diligent search and inquiry to ascertain the owner or keeper of such dog, and that such owner or keeper cannot be found, they shall award to the aggrieved party for compensation a sum not exceeding two-thirds of the amount of the damage sustained by him; and the Treasurer of the Municipality shall pay over to him the amount so awarded. R. S., c. 194, s. 19.

SEC. 20.—The owner of any sheep or lamb killed or injured while running at large upon any highway or unenclosed land shall have no claim under this Act to obtain compensation from any Municipality. R. S., c. 194, s. 21.

SEC. 21.—If the Council of any County or Union of Counties by By-law decides to dispense with the levy of the aforesaid tax in the Municipalities within its jurisdiction, the owner of any sheep or lamb may, notwithstanding, sue the owner or keeper of any dog or dogs for the damige or injury done by the said dog or dogs to the said sheep or lanb; and the same shall be recovered in the manner provided by Section 15 of this Act. R. S., c. 194, s. 22.

### PROTECTION OF GAME AND FUR BEARING ANIMALS.

# (Revised Statutes 1877, Chap. 221.)

SEC. 1.—None of the animals or birds hereinafter mentioned shall be hunted, taken or killed within the periods hereinafter limited :

(1.) Deer, elk, moose, reindeer or cariboo, between the fifteenth day of December and the Sifteenth day of October. rer to pay to the ordered to be paid iction, saving and roceedings before Council. R. S.,

y sheep or lamb , the owner or may, within three the Municipality was so killed or e injury; and if which shall be th or oaths in ses) is satisfied e diligent search er or keeper of r keeper cannot the aggrieved not exceeding e damage susasurer of the im the amount

sheep or lamb at large upon shall have no compensation 194, s. 21.

y County or es to dispense in the Municiowner of any ing, sue the dogs for the dog or dogs e same shall d by Section

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birds heretaken or imited : r cariboo, er and the (2.) Grouse, pheasants, prairie fowl or partridge, between the first day of January and the first day of September.

(3.) Quail or wild turkeys, between the fifteenth day of December and the fifteenth day of October.

(4.) Woodcock, between the first day of January and the fifteenth day of August.

(5.) Snipe, rail and golden plover, between the first day of January and the first day of September.

(6.) Swans or geese, between the first day of May and the first day of September.

(7.) Ducks of all kinds, and all other waterfowl, between the first day of January and the first day of September.

. (8.) Hares, between the first day of March and the first day of September.

SEC. 2.—No person shall have in his pcssession any of the said animals or birds, no matter where procured, or any part or portion of any of such animals or birds, during the periods in which they are so protected. Provided that they may be exposed for sale for fifteen days, and no longer, after such periods, and may be had in possession for the private use of the owner and his family at any time; but in all cases the proof of the time of killing, taking or purchasing shall be upon the person so in possession.

SEC. 3.—No eggs of any of the birds above mentioned shall be taken, destroyed, or had in possession by any person at any time.

SEC. 4.—None of the said animals or birds, except the animals mentioned in Section 6 of this Act, shall be trapped or taken by means of traps, nets, snares, gins, baited lines or other similar contrivances; nor shall such traps, nets, snares, gins, baited lines or contrivances be set for them, or any of them, at any time; and such traps, nets, snares, gins, baited lines or contrivances may be destroyed by any person without such person thereby incurring any liability therefor.

SEC. 5.—None of the contrivances for taking or killing the wild fowl known as swans, geese or ducks, which are described or known as batteries, swivel guns or sunken punts shall be used at any time; and no wild fowl known as duck, or other waterfowl, except geese or swans shall be hunted, taken or killed, between the expiration of the hour next after sunset and the commencement of the hour next before sunrise.

SEC. 6.—No beaver, mink, muskrat, sable, martin, otter or fisher, shall be hunted, taken or killed, or had in the possession of any person between the first day of May and the first day of November; nor shall any traps, snares, gins or other contrivances be set for them during such period; nor shall any muskrat house be cut, speared, broken or destroyed at any time; and any such traps, snares, gins or other contrivances so set may be destroyed by any person without such person thereby incurring any liability therefor; provided that this section shall not apply to any person destroying any of the said animals in defence or preservation of his property.

SEC. 7.—Offences against this Act shall be punished upon summary conviction, on information or complaint before a Justice of the Peace, as follows:

(a.) In case of deer, elk, moose, reindeer or cariboo, by a fine not exceeding fifty dollars, nor less than ten dollars, with costs, for each offence.

(b.) In the case of birds or eggs, by a fine not exceeding twenty-five dollars nor less than five dollars, with costs for each bird or egg.

(c.) In the case of the fur bearing animals mentioned in Section 6 of this Act, by a fine not exceeding twenty-five dollars nor less than five dollars, with costs, for each offence.

(d.) In the case of other breaches of this Act, by a fine not exceeding twenty-five dollars nor less than five dollars, with costs.

SEC. 8.—The whole of such fine shall be paid to the prosecutor, unless the convicting Justice has reason to believe that the prosecution is in collusion with and for the purpose of benefiting the accused, in which case the said Justice may order the disposal of the fine, as in ordinary cases.

SEC. 9.—In all cases, confiscation of the game shall follow conviction; and the game so confiscated shall be given to some charitable institution or purpose, at the discretion of the convicting Justice.

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of the game ame so concharitable etion of the SEC. 10.—In order to encourage persons who have heretofore imported, or hereafter import, different kinds of game with a desire to breed and preserve the same on their own lands, it is enacted that it shall not be lawful to hunt, shoot, kill or destroy any such game without the consent of the owner of the property, wherever the same may be bred.

SEC. 11.—It shall not be lawful for any person to kill or take any animal protected by this Act by the use of poison or poisonous substances, nor to expose poison, poisoned bait or other poisoned substances in any place or locality where dogs or cattle may have access to the same.

SEC. 12.—No person shall at any time hunt, take or kill any deer, elk, moose, reindeer or cariboo, for the purpose of exporting the same out of Ontario, and in all cases the onus of proving that any such deer, elk, moose, reindeer or cariboo, as aforesaid so hunted, taken or killed, is not intended to be exported as aforesaid shall be upon the person hunting, killing or taking the same, or in whose possession or custody the same may be found. Offences against this Section shall be punished by a fine not exceeding twenty-five dollars, nor less than five dollars, for each animal.

SEC. 13.—No owner of any hound or other dog known by the owner to be accustomed to pursue deer shall permit any such hound or other dog to run at large in any locality where deer are usually found during the period from the 15th day of November to the 15th day of October, under a penalty, on conviction, of not more than twenty-five dollars, nor less than five dollars, for each offence. Any person harboring or claiming to be the owner of any such hound or dog shall be deemed to be the owner thereof.

SEC. 14.—It shall be lawful for the council of any county, city, town, township or incorporated village, to appoint an officer who shall be known as the game inspector for such county, city, town, township or incorporated village, and who shall perform such duties in enforcing the provisions of this Act and be paid such salary as may be mutually agreed upon.

### PROTECTION OF INSECTIVOROUS AND OTHER BIRDS BENEFICIAL TO AGRICULTURE.

### (Revised Statutes 1877, Chap. 222.)

SEC. 1.—Nothing in this Act contained shall be held to affect *The Act for the Protection of Game and Fur Bearing Animals*, or to apply to any imported cage birds or other domesticated bird or birds generally known as cage birds, or to any bird or birds commonly known as poultry. R. S., c. 201, S. I.

SEC. 2.—(1.) It shall not be lawful to shoot, destroy, wound or injure, or to attempt to shoot, destroy, kill, wound or injure, any bird whatsoever, save and except eagles, falcons, hawks, owls, wild pigeons, blackbirds, kingfishers, crows, jays, English sparrows and ravens, and the birds especially mentioned in *The Act for the Protection of Game and Fur Bearing Animals.* R. S., c. 201, S. 2.

(2.) Any person may, during the fruit season, for the purpose of protecting his fruit from the attacks of such birds, shoot or destroy on his own premises the birds known as the robin and cherry bird, without being liable to any penalty under this Act.

SEC. 3.—It shall not be lawful to take, capture, buy, sell, expose for sale or have in possession any bird whatsoever, save the kinds hereinbefore or hereinafter excepted, or to set, wholly or in part, any net, trap, spring, snare, cage or other machine or engine by which any bird whatsoever, save and except eagles, falcons, hawks, owls, wild pigeons, kingfishers, jays, crows and ravens, might be killed and captured ; and any net, trap, spring, snare, cage or other machine or engine set either wholly or in part for the purpose of either capturing or killing any bird or birds, save and except eagles, falcons, hawks, cwls, wild pigeons, blackbirds, kingfishers, crows, jays, English sparrows and ravens, may be destroyed by any person without such person incurring any liability therefor. R. S., c. 201, 5. 3.

SEC. 4.—It shall not be lawful to take, injure, destroy or have in possession any nest, young or egg of any bird whatsoever, except of eagles, falcons, hawks, owls, wild pigeons, blackbirds, kingfishers, crows, jays, English sparrows and ravens. R. S., c. 201, s. 4. S bird befo cons shal Poli and bird Si and

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l to take, injure, any nest, young accept of eagles, ons, blackbirds, sparrows and SEC. 5.—Any person may seize, on view, any bird unlawfully possessed, and carry the same before any Justice of the Peace, to be by him confiscated, and if alive to be liberated; and it shall be the duty of all Market Clerks and Policemen or Constables on the spot to seize and confiscate, and, if alive, to liberate such birds. R. S., C. 201, S. 5.

SEC 6.—The Commissioner of Agriculture, and all persons authorized by him to that effect, may grant written permission to any person or persons who may be desirous of obtaining birds or eggs for *bona fide* scientific purposes to procure them for that purpose, and such person or persons shall not be liable to any penalty under this Act. R. S., c. 201, s. 6.

SEC. 7.—(1.) The violation of any provision of this Act shall subject the offender to the payment of not less than one dollar and not more than twenty dollars, with costs, on summary conviction, on information or complaint before one or more Justices of the Peace.

(2.) The whole of the fine shall be paid to the prosecutor, unless the convicting Justice has reason to believe that the prosecution is in collusion with and for the purpose of benefiting the accused, in which case the said Justice may order the disposal of the fine as in ordinary cases.

(3.) In default of payment of the fine and costs, the offender shall be imprisoned in the nearest Common Jail for a period of not less than two and not more than twenty days, at the discretion of such Justice. R. S., c. 201, s. 7.

SEC. 8.—No conviction under this Act shall be annulled or vacated for any defect in the form thereof, or for any omission or informality in any summons or other proceeding under this Act, so long as no substantial injustice results therefrom. R. S., C. 201, S. 8.

EXTRACTS FROM THE CONSOLIDATED BY-LAWS OF THE CITY OF HAMILTON.

#### CHAPTER 65 .- Relating to Pound.

SEC. 2.—That it shall not be lawful for any person to allow his or her horse, mare, gelding, bull, ox, cow, heifer, steer, calf, goat, mule, ass, sheep, pig, lamb, geese, ducks or any poultry to run at large within the City of Hamilton. SEC. 4.—That it shall and may be lawful for any person to drive to the pound any of the animals mentioned in Section 2; geese and poultry found trespassing or any such found running at large contrary to this By-law.

SEC. 11.—That the south-west portion of the Crystal Palace grounds be the pound of the City of Hamilton.

SEC. 12.—That George Kerr be and is hereby appointed pound-keeper of the said city.

#### CHAPTER 67.-Dog Tax.

SEC. 4.—That any dog or bitch found running at large contrary to this By-law may be captured, killed or otherwise disposed of by the person or persons duly authorized by this Council.

SEC. 13.—It shall be the duty of the poundkeeper to feed and supply with water all dogs and bitches after they have been impounded over six hours.



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# FIRST ANNUAL REPORT

Hamilton Society for Prevention of Gruellyto Animals.

#### April 1st, 1888.

In presenting their First Annual Report for the year ending 31st March, 1888, your Committeebeg to review the work of the Society from the time of its organization.

After one or two preliminary meetings the Society was finally organized on 1st April, 1887, and adopted a constitution and appointed officers and an Executive Committee to carry on the work. After some little delay your Committee were at last enabled to commence active work through the kindness of the Police Commissioners in loaning the services of Police Constable Watson as temporary Inspector. This officer proved himself most efficient, and your Committee endeavored to secure him as. permanent Inspector, but, though they sympathized with the work, the Commissioners did not feel justified in granting the request, as it is. difficult for the force with its present limited numbers to accomplish the ordinary work that is expected of it. P. C. Watson was presented with a gold headed cane with an appropriateinscription as a mark of appreciation of his. services, which extended over two months. Mr. William Kerley, our present Inspector, was. next appointed and has proved himself watchful, energetic and prudent.

It has only been in the worst cases that prosecutions have taken place; in the largemajority of instances a warning is first given, the name and address of each individual being taken, and the Inspector keeping track of each case till cured. Thus, a man found working a horse with galled shoulders after being warned that it is unfit for work would at once be proceeded against. Considerable tact is required in looking into reported cases, as it sometimes occurs that a neighbor will lay information against a man for some personal motive of spite. It might be well to state here that all cases will be carefully looked into when the informer gives proper name and address, which will be regarded as *strictly confidential* when so desired, but anonymous communications (of which some have been received) will not be noticed.

The City Council, on being applied to, cheerfully appropriated the sum of three hundred dollars as an annual grant towards the funds of the Society, on condition that it relinquished its claim to half the fines arising from prosecutions before the City Magistrate. This condition was agreed to, and the Society cannot therefore be accused of prosecuting for the purpose of raising funds.

Nearly all of the livery stable keepers in the city have consented to furnish horse and buggy free of charge where it is necessary to follow cases into the country, and this very generous offer has been made use of on several occasions.

Mr. Adam Brown, M. P., and President of the Society was requested to introduce a bill, during the present session of the Dominion Parliament, to prevent the use of live birds of any kind at shooting tournaments, and is taking up the matter, the bill having passed its first reading. A petition to strengthen his hands was got up under the auspices of the Society and signed by over 500 names, and very many more could have been obtained had time permitted, many citizens expressing satisfaction that the matter was being taken up.

Your Committee beg to draw attention to the cruel and senseless use of the bearing or checkrein, and more especially to *over-checking*, which obliges the horse to hold his head in a constrained and most unnatural position, which is neither graceful or useful and are of opinion that its use should be discouraged in every possible way.

The Inspector visits Dundas, where the Society have about 25 members, monthly or oftener, if necessary, and a resident honorary agent has lately been appointed there, and it is hoped that like agents may soon be appointed in such places as Waterdown, Burlington, Stoney Creek and Ancaster.

A detailed list of cases is given below, also an abstract of accounts. in si se th

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It is most desirable for the successful working of the Society that the funds be very considerably increased, and now that the citizens see that the Society is in earnest, it is hoped they will come forward and assist more generally by subscribing their names as members.

A reserve fund of several hundred dollars should be created in case the society are at any time drawn into legal expense; further funds should also be available for developing the work.

The erection of drinking fountains has been taken up by some societies and been the means of doing much good. While your Committee feel that they are not financially strong enough to undertake this branch of the work, they would suggest the propriety of passing a resolution at the annual meeting strongly urging the City Council to erect several more fountains in suitable localities where man and beast alike can quench their thirst.

The thanks of the Society are due to the sister societies in New York, Buffalo, Pennsylvania (women's branch), Ossining, Montreal and Ottawa for copies of reports and assistance in organizing.

Messrs. Edward Martin, Q. C. and S. F. Lazier have kindly consented to act as honorary counsel, and Dr. J. Craig, V. S., as honorary veterinary surgeon.

A By-law was passed by your Committee making donors of *ten dollars* (\$10) and upwards life members.

Your Committee cannot close this report without referring to the very recent death of Henry Bergh, of New York, who may with truth be called the father of Humane Societies on true continent, having for years devoted his life to the furtherance of their interests, and in his will requested his nephew to carry on the good work he had himself so happily and successfully inaugurated.

All of which is respectfully submitted.

ADAM BROWN, President.

HENRY MCLAREN, Sec. - Treasurer,

# SUMMARY OF CASES.

# BROUGHT INTO COURT, CONVICTED AND FINED.

| 2<br>1<br>1<br>1 | " furio .s driving while drunk<br>" over-loading"<br>" working with knee cap | 36<br>40<br>9 | 50<br>50<br>00<br>00 |
|------------------|------------------------------------------------------------------------------|---------------|----------------------|
| I<br>I           | Cock-fighting<br>Chickens, plucking while alive                              | 7             | 00<br>50             |
| 23               | -                                                                            | 5<br>94       | 00<br>50             |

#### DISMISSED.

1 Horse, died from ill-treatment.

24

2 Horses, destroyed as useless.

I Stray cow cared for and owner found.

125 Warnings and cautions, approximate.

### 152 Total.

MEMO:-Warnings are now booked and classified; over fifty having been given in four

Horses-Neglecting to feed, striking when down, over-loading, furious driving, sore shoulders, exposed without shelter, not properly shod, badly stabled.

Cows-Neglecting to feed.

Chickens-Cruelty to, on the Market.

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| vhile drunk             | 9  | 00  |
|                         | 4  | 00  |
| knee cap                |    |     |
| •••••                   | 5  | 00  |
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| alive                   | 5  | 00  |
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| \$1                     | 94 | 50  |
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# ABSTRACT OF RECEIPTS AND EXPENDITURE

Ist April, 1887 to 31st March, 1888.

#### RECEIPTS.

| Members' Subscriptions\$233<br>Corporation Grant for 1888 | 00 |
|-----------------------------------------------------------|----|
| Proportion of Fines to Dec. 21st 1887 67                  |    |
| Interest on Bank Account                                  | 79 |

### \$602 29

#### EXPENDITURE.

| Salaries                      | 5160 | . 00 |       |     |
|-------------------------------|------|------|-------|-----|
| Expenses Treasurer, Inspector |      |      |       |     |
| and Collector.                |      | 36   |       |     |
| Stationery                    | II   | 80   |       |     |
| Advertising Meetings          | 17   | 00   |       |     |
| Gold Headed Presentation      |      |      |       |     |
| Cane                          | 10   | 00   |       |     |
| Rent Room                     | 3    | 50   |       |     |
| Official Badges               | IO   | 50   |       |     |
|                               |      |      | \$235 | 16  |
| Balance, Cash on hand         | •••  | •••  | 367   | 13  |
|                               |      |      | \$602 | 20  |
|                               |      |      |       | - 7 |

# LIFE MEMBERS.

 David McLellan, May 1st, 1888,
 \$10 00

 Reginald Æ. Kennedy, May 4th, 1888,
 10 00

 Edward Martin, Q. C., May 5th, 1888,
 10 00

# LIST OF ANNUAL MEMBERS.

#### A

Acres, W. Alexander, A. A. Alexander, A. Anderson, J. M. Anderson, Robert

#### В

Baird, Chas. Baker, H. C. Baifour, St C. Ballentine, A. & Bros. Bankier, P. M. Bankier, Mrs. P. M. Barlow, G. Barnurd, P. B. Major Batron, Geo. M. Bates, Dr. Battram, C. Bassett, H. D. Bazzard, Geo. Beasley, T. Beddoe, Thomas Begue, T. H. Bell, W. & Co. Bertram, John Bertram, John Bertram, John Billings, John Y. Billings, John Y. Billings, John Sillings, John Birge, C. A. Black, Chas. Boyd, J. R. F. Bracken, H. C. Bremner, G Briggs, G. C. & Sons Bristol, G. E. Brown, Mrs. A. Brown, Miss Daisy Burn & Robinson Burrows, Stewart & Milne

#### С

Calder, John Cambden, J. K. Cameron, F. D. Campbell & Pentecost Carmichael, Mrs. Hartley Casey Bros. Champ, W. S. Chittenden, Dr. C. S. Chittenden, Dr. C. S. Chittenden, Dr. C. S. Clayton, John Coburn, H. P. Colbeck, H. Colquhoun, E. A. Colquhoun, Mrs. E. A. Coote, Geo. Copp Bros. Craig, J. (V. S.) Cruickshank, R. Cuunningham, A. M.

#### D

Davidson, Jas. Davidson, Thos. Dawson, D. Dewey, D. R. Dixon, Jas. Domville, A. C. Domville, C. K. Domville, E. Domville, F. J. Domville, F. J. Domville, P. Doonville, P. Doolittle, Chas. E. Doran, Wm (Mayor) Duncan, R.

#### E

Eastwood, John Enright, J. & Bro.

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Had Hal Hay Her Her Her Her Her Hol Hor Hor Hur

#### Impe

Jolley Jones Jones

Kend Kerrig Knox

### BERS.

5 10 00 1, 1888, 10 00 1, 1888, 70 00

# MEMBERS.

#### С

der, John hbden, J. R. heron, H. D. upbell & Pentecost michacl, Mrs. Hartley by Bros. mp, W. S. tenden, Dr. C. S. ton, John um, H. P. eck, H. uhoun, Mrs. E. A. bhoun, Mrs. E. A. e, Geo. Bros. , J. (V. S.) kshank, R. ingham, A. M.

#### D

son, Jas. son, Thos. on, D. Jas. Ile, A. C. Ile, C. K. Ile, E. A. Ie, F. J. Ie, H. T. Ie, P. e, Chas. E. Wm (Mayor), R.

#### E

d. John J. & Bro.

#### F

Fitzsimmons, H. Flatt & Bradley Foote, C. C. Freeman, W. A. Fuller, Richard Furniss & Son

#### G

Galbreaith, N. D. Garland, Louis Gates, F. W. Gerrie, J. W. Gibson, J. M., Lt.-Col. Gibson, W. Gillespie, Geo. H. Gauld & Son, D. H. Gould & Son, D. H. Gow Grafton & Co. Grant, Mrs. Peter Grant, W. J. Greene, J. Greening, S. O. Griffin, Dr. Grossman, P. Gurney, C. Gurney, & Ware Gwyn, H. C., Lt.-Col.

#### H

Hacker, G. G. Hall, Alfred Hargrove, Joseph Hayes, A. Hendrie, Capt. J. S. Hendrie, Mrs. J. S. Hendrie, Wm. Herron, Joseph Hill, Wm. Holton, W. Hope, Chas. Hore, F. W. & Son Hurd & Roberts

Imperial Mineral Water Co.

#### J

Jolley, James Jones, C. J. Jones, Seneca

#### K

Kendrick, Jas. Kerrigan, D. Knox, Morgan & Co. Land, Allan Land, J. H. Leather, T. E. Lee, Rev. C. R. Lees, R. Lees, A. A. Lees, Thomas Lees, Wm. Leggat, M. Ley, A. Little, Matt. H. Long & Bisby Lonsdale, F. Lottridge, J. M. Lumsden Bros. Lucas, R. A.

#### M

McCallum & Hall McCoy, J. C. Macfaddin, Rev. T. J. McGregor, D. G. McGregor & Park McIlwraith & McMaster McKay, Alex., M. P. McKeand, J. C. McKechnie, R. Mackenzie, A. I. McKinnon, Chief McLaren, Miss H. McLaren, Henry McLaren, Mrs. H. McLaren, Miss M. McLaren, W. H. McLaren, Mrs. W. P. McMahon, Dr. McNair, Samuel McPherson, J & Co. Macpherson, T. H. Mallock, F. Marshall, W. Martin, Miss Amy Martin, Mrs. E. Martin, Miss Ethel Martin, Miss O'D. Mason, J. J. Masson, Mrs. Mathews, Jas. Meakins & Son Middleton, J. T. Millard, J. W. Mills, Frank Mitchell, Thomas Moore, Major A. H. Moore, Mrs. D. Moore, John H. Morgan Chas. E. Morrow, Chas. Mundy, Mark Murray, Hugh Murton, Chas. Murton, Ed.

N

#### 0

Oak Hall Osborne, Killey & Co. Osborne, Jas. & Co. Overell, E.

#### P

Papps, Geo S. Papps, Percy C. H. Park, J. H. Parker, J. E. Payne, Wm. Pearson, John Pennington & Baker Peebles, J. Pottinger, R. Pratt & Watkins Proctor, John

ł

#### R

Ramsay, A. G. Ray, H. A. Ray, Mrs. H. A. Redfield, J. E. Reid, Birely & Co. Reynolds, Dr. Riddel, John Roach, George Robertson, J. H. Robinson, W. A. Rollin, F. Ronan, P. Ross, Dr. Ross, S. F. Rousseaux, J. M. Routh, J. T. Rutherford, Geo. Russell, G. M.

#### S

Sanford, W. E. Scott, Jas. Shepherd, F. Slater, S. Smith, J. Findlay Somerville, Jas. Somerville, Roy Steele, R. T. Stewart, Jas. Stewart, John Stiff, Chas. Stinson, T. H., Stinson, James Stuart, John, & Co. Sturdy, J. Sullivan, D.

#### Т

Taylor, Geo. Temple, J. Tench, W. B. E. Thomas, Chas. L. Thomson, P. Thomson, G. C. Thomson, R. Thomson, R. Thornton, Jas. Tobin, John Townsend, M. Townsend, M. Townsend, W. G. Travers, J. N. Tuckett, Geo. E. Tuckett, Geo, I. Tuckett, John E.

#### 1

Vernon, Dr.

#### W

Walker, F. E. Walker, Dr. Walker, Mrs. Halford Wanzer, R. M. & Co. Wardell, A. R. Watkins, Thomas C. Watson, W. J. Way, Bidwell Wheeler, R. N. Williams, I. S. Williams, H. S. Wilson, Arch. & Co. Wilson, R. T. Winnifrith, B. Wood, Walter & Co.

Young, J. M.

Ζ

#### Zingsheim, J.

N. B.—Above list includes those who joined from time of formation to May 31st, 1888. Any member whose name does not appear on list will please report to Secretary-Treasurer, as unfortunately a few names were mislaid. Steele, R. T. Stewart, Jas. Stewart, John Stiff, Chas. Stiff, Chas. Stinson, T. H, Stinson, James Stuart, John & Co. Sturdy, J. Sullivan, D.

#### T

Caylor, Geo. Cemple, J. Cench, W. B. E. Homas, Chas. L. Homson, R. Homson, R. Homson, M. S. Homson, R. Hornton, Jas. obin, John ownsend, M. ownsend, W. G. ravers, J. N. ackett, Geo. E. ackett, John E.

#### 1

ernon, Dr.

#### W

alker, F. E. alker, Dr. alker, Mrs. Halford anzer, R. M. & Co. ardell, A. R. ttkins, Thomas C. tison, W. J. ty, Bidwell teeler, R. N. lliams, H. S. lson, Arch. & Co. son, R. T. anifrith, B. od, Walter & Co.

#### Y

ing, J. M.

#### Z

#### sheim, J.

ose who joined from 888. Any member will please report to ly a few names were



